Minutes
Village of Glen Ellyn
Regular Meeting
Monday, April 13, 2020
7:00 PM
Glen Ellyn Civic Center, Galligan Board Room

A. Call to Order

B. Pledge of Allegiance

C. Roll Call

Attendee Name	Title	Status	Arrived
Diane McGinley	Village President	Present	
Bill Enright	Village Trustee	Present	
Gary Fasules	Village Trustee	Present	
Craig R. Pryde	Village Trustee	Present	
Kelli E. Christiansen	Village Trustee	Present	
Steve Thompson	Village Trustee	Present	
Mark Senak	Village Trustee	Present	
John Chereskin	Village Clerk	Present	
Mark Franz	Village Manager	Present	
Greg Mathews	Village Attorney	Present	
William Holmer	Assistant Village Manager	Present	
Christina Coyle	Finance Director	Present	
Julius Hansen	Public Works Director	Present	
Staci Springer	Director	Present	
Phil Norton	Chief of Police	Present	
Rich Daubert	Professional Engineer	Present	
AJ Goyal	Economic Development Coordinator	Present	

D. Audience Participation

1. Open:

Todd Clarke wrote against the potential rollout of 5G small wireless telecommunications facilities.

Nancy Perlman wrote against the potential rollout of 5G small wireless telecommunications facilities.

Susan Rothschild wrote against the potential rollout of 5G small wireless telecommunications facilities.

Susie Ryer wrote against the potential rollout of 5G small wireless telecommunications facilities.

Lauren Anderson wrote against the potential rollout of 5G small wireless telecommunications facilities.

Janet Balsavich wrote against the potential rollout of 5G small wireless telecommunications facilities.

Anne Gould wrote against the approval of agenda items G & H.

E. Consent Agenda - The following items are considered routine business by the Village Board and will be approved in a single vote in the form listed below:

RESULT:	**APPROVED [6 TO 0]**
MOVER:	Craig R. Pryde, Village Trustee
SECONDER:	Kelli E. Christiansen, Village Trustee
AYES:	Enright, Fasules, Pryde, Christiansen, Thompson, Senak
PRESENT:	McGinley

Motion to approve the following items including Payroll and Vouchers totaling $2,116,532.68. These agenda items have been reviewed by the Management Team & Village Attorney and are consistent with the Village's purchasing policy (Trustee Pryde):

1. Total Expenditures (Payroll and Vouchers) - $2,116,532.68

2. Glen Ellyn Village Board - Special Meeting - Mar 17, 2020 7:00 PM

3. Resolution No. 20-05, A Resolution to Ratify the Actions taken in Executive Orders 2 and 3 to Extend the Authority Granted to the Village President Under Ordinance No. 6773 (Village Attorney Mathews)

   Trustee Senak asked if the approval of the Village of Glen Ellyn's Executive Order No. 3, regarding additional paramedic services, was requested by the Village or the EMS provider. President McGinley stated the request came from hospitals.

   Trustee Senak asked if hospitals specifically requested the Village to have additional EMS staff. Village Manager Franz stated the request did not specially ask to add one person, but there was a specific request for an extra vehicle to response to calls.

   Trustee Senak asked if the Village has experienced any shortages in being able to respond to COVID-19 calls. Village Manager Franz stated, as far as he is aware, there is not a shortage in being able to respond to COVID-19 calls and also stated it will take several weeks for the additional vehicle to be live.

   Trustee Senak asked if this is a measure to make sure the Village is ready if there is a surge in calls. Village Manager Franz confirmed this.

4. Ordinance No. 6777-VC, An Ordinance to Amend Section 3-19-11 (Classification of Licenses), Section 3-19-12 (Restriction of Number of Licenses) and Section 3-19-13 (License Fees) of the Village Code of Glen Ellyn, Illinois be Creating a Class A-6 Liquor License Classification for the Glen Art Theatre located at 540 Crescent Boulevard (Economic Development Coordinator Goyal)

5. Resolution No. 20-06, A Resolution Vacating Public Utility and Drainage Easements Associated with the Raising Cane's Chicken Fingers Redevelopment of the Property located at 495 – 499 Roosevelt Road (Community Development Director Springer)

6. Resolution No. 20-07, A Resolution Accepting Public Utility and Drainage Easements Associated with the New Construction of a Single-Family Home located at 680 Lenox Road (Community Development Director Springer)

F. Construction Access Agreement for Civic Center Parking Garage (Presented by Assistant Village Manager Holmer) (Trustee Pryde)

1. Ordinance No. 6776, An Ordinance Authorizing the Adoption of a Construction Access Agreement at 427 N. Main Street Necessary for the Demolition of 423 N. Main Street and Undergrounding of Utilities behind the Civic Center, Contingent Upon Attorney Review (Assistant Village Manager Holmer)

Assistant Village Manager Holmer stated staff is requesting a construction access agreement at 427 N. Main Street, which is necessary for the demolition of 423 N. Main Street and undergrounding of utilities behind the Civic Center. Assistant Village Manager Holmer stated this demolition and undergrounding of utilities work is to create a pedestrian connection from the Civic Center parking lot to Main Street. Assistant Village Manager Holmer stated the pedestrian connection has been a desired part of the project, independent of the parking garage. Assistant Village Manager Holmer stated the total cost of both the demolition and undergrounding of utilities is $1 million. Assistant Village Manager Holmer stated the Board can approved either the demolition and utility work, just the demolition or neither. Assistant Village Manager Holmer also stated the Board can also choose to delay the parking garage project, if desired.

Trustee Fasules asked what the cost of the demolition and utility work is. Assistant Village Manager stated the demolition work is close to $330,000.

Assistant Village Manager described to scope of the undergrounding utility work.

Trustee Senak asked if approving the construction access agreement means the Village is appropriating money for this project. Assistant Village Manager stated the construction access agreement does not appropriate money; however, it is an agreement with the owner to complete the demolition.

Trustee Senak asked if the Village Board can delay the demolition, if desired, if the construction access agreement is approved. Assistant Village Manager confirmed that is a possibility.

Trustee Fasules stated he supports the demolition, but does not support spending nearly $700,000 on utility work. Trustee Fasules stated it would be beneficial for the Village to save this money due to COVID-19 pandemic.

Trustee Senak stated he agrees with Trustee Fasules. Trustee Senak stated he thinks it is best for the Village Board to approve the construction access agreement, but believes the Village should wait on the demolition and utility work. Trustee Senak stated he wants to make sure the Village has the funds to continue to provide essential services and projects.

Trustee Fasules stated that Finance Director Coyle stated at the recent Finance Commission meeting that the parking garage has $7 million that can be used for other services or projects.

Assistant Village Manager Holmer stated it is important to know now if trustees do not intend to move forward with the demolition and utility work. Trustee Senak stated he does not want to hold the parking garage project up, but due to COVID-19, he believes the Village should take this project one step at a time.

President McGinley stated if the Village Board does not complete the utility work, the parking garage will have to be redesigned. President McGinley also stated the Village has already spent a considerable amount of money on this project. President McGinley noted the parking garage will also help businesses and visitors when they come to town, post COVID-19. President McGinley stated staff is watching cost savings in regards to building the parking garage now, rather than later. President McGinley noted there are ways the Village can save money on other projects, including the streetscape project.

Trustee Senak stated he questions if this is essential work.

Trustee Fasules stated he is concerned that the Food and Beverage Tax will not be able to pay off the Village's bonds, as many businesses are not open and may not reopen. Trustee Fasules stated he does not believe the parking garage will cost more money later. Trustee Fasules stated he is in support of the demolition, but not the utility work.

Trustee Thompson stated he is in support of moving forward with the demolition and utility work. Trustee Thompson stated he believes it is important to continue to fund this project, and does not want to waste the money that was already spent. Trustee Thompson stated he wants to show the Village Board believes in the community's ability to bounce back after the COVID-19 pandemic. Trustee Thompson noted money can be saved on the streetscape project.

Trustees Thompson, Senak and Fasules had a discussion regarding Food and Beverage Tax studies they have read.

RESULT:	**APPROVED [4 TO 2]**
MOVER:	Craig R. Pryde, Village Trustee
SECONDER:	Steve Thompson, Village Trustee
AYES:	Enright, Pryde, Christiansen, Thompson
NAYS:	Fasules, Senak
PRESENT:	McGinley

G. Environmental Engineering Services (Presented by Professional Engineer Daubert) (Trustee Thompson)

Village Manager Franz stated agenda items G and H are related, and Professional Engineer Daubert will kick off the discussion with a presentation. Village Manager Franz stated staff and representatives from Huff & Huff are available to answer questions. Village Manager Franz noted there will be one presentation for agenda items G and H, but they will be voted on separately.

Professional Engineer Daubert stated staff recommends the Village to engage in an agreement with Huff & Huff in the not-to-exceed amount of $15,810 for environmental engineering services associated with the remediation of the Village's Main Street parking lot, and the Village to engage in an agreement with Huff & Huff in the not-to-exceed amount of $11,357 for environmental engineer soil management assistance services associated with the Apex 400 Development project.

Professional Engineer Daubert stated that with redevelopment of the Main Street Parking lot pending as part of the Apex 400 Development, staff further investigated this matter in consultation with Huff and Huff, Inc., an environmental engineering firm with specialization in this line of work. The firm reviewed the former site studies, records, and proposed redevelopment; ultimately recommending further efforts to pursue reenrollment of the site in the IEPA's voluntary Site Remediation Program (SRP) and procurement of a focused No Further Remediation (NFR) letter in tangent with the Apex 400 redevelopment project.

Professional Engineer Daubert stated staff subsequently engaged Huff and Huff to complete site investigation work including soil borings, installation of groundwater monitoring wells, analytical soil testing, groundwater modeling, ground penetrating radar to identify any anomalies consistent with remaining tanks on the sight, and development of a technical memorandum summarizing the findings and next steps towards remediating the site and seeking a focused NFR letter.

Professional Engineer Daubert stated the scope of the current study has nearly been completed with the not-to-exceed authorization amount being $32,901.42. While there is some budget remaining from the current assignment, Huff and Huff has prepared a proposal to complete the next steps which are primarily related to when the site would be excavated and remediated by the developer as part of the APEX 400 project, inclusive of the subsequent services to secure the NFR letter. The services are estimated to be $15,810 in addition to what budget remains from the ongoing assignment. Staff notes that these are strictly environmental engineering services associated with the reenrollment of the Village's existing property into the Site Remediation Program and acquisition of a focused NFR letter. The actual remediation work will be completed by the Developer with a subsequent memorandum detailing a proposed Village contribution towards those expenses.

Professional Engineer Daubert stated given Huff and Huff's background on the site as well as the CBD in general, the Developer did request a proposal from the firm for other environmental engineering services related to disposal of clean soil at a CCDD (clean construction demolition or debris) facility. Given no relation between the Developer and Huff and Huff, the firm preferred to extend the proposal to the Village. Staff was supportive of this approach but did note that those expenses should be solely borne by the Developer. That proposal is attached with the aforementioned proposal and is in the amount of $11,357.

Professional Engineer Daubert stated while staff fully supported the Village funding the early phases of this assignment, in essence the first three tasks in the following table, it recommends the Developer be expected to contribute towards the future assignments, splitting the remediation tasks equally and requesting the Developer contribute up to $5,000 towards the IEPA review fees. As noted in the table, GSP would be fully responsible for the CCDD/Soil Management Assistance expenditures.

Trustee Senak asked if the Village or the Developer is responsible for remediation of the property under the current redevelopment agreement (RDA). Village Manager Franz stated the RDA is *not clear on this topic. Village Manager Franz also stated the parking lot is currently owned by the Village; will be given to the developer while the proposed work is being complete, and then will be returned to the Village after the work is complete.*

Trustee Senak asked why the Village doesn't pay the cost of this project, instead of amending the RDA. Village Manager Franz stated developers typically do this type of work and there are many benefits of the developer completing the work.

Trustee Senak asked why the Village didn't know about the soil conditions sooner. Village Manager Franz stated this was an unknown portion of this project. Community Development Director Springer stated the Village wanted to make sure the purchaser had all the information possible about the site. Community Development Director Springer stated the Developer was not concerned about the environmental study. Community Development Director Springer stated during the developer process, this type of study is not typically completed. Community Development Director Springer stated as additional information come out about this site, the Village began to speak to an environmental attorney, who suggested the Village move forward with the study.

Trustee Senak questioned the total proposed cost for this particular expense. Professional Engineer Daubert discussed the outline of total costs for this project outlined on agenda packet page 108.

Trustee Senak asked how much this project is costing the Village. Village Manager Franz stated the cost is $45,076.

Trustee Pryde asked if this is being expensed to the TIF Fund, or to come from the budget. Village Manager Franz stated it will be paid from the TIF Fund.

Trustee Fasules asked how much money is in the TIF Fund. Finance Director Coyle stated there is over $400,000 currently in the TIF Fund.

Trustee Christiansen stated the Developer didn't raise any concerns, and the Village sold the parking lot as it. Trustee Christiansen stated the Village has completed many site studies in previous years and also noted this project in still under litigation. Trustee Christiansen stated she is not comfortable spending this TIF money now. Trustee Christiansen also asked why the Village wouldn't complete this work, so the work can be sent to bid.

Village Manager Franz stated the Main Street parking lot will be maintained by the Village after the work is complete, the costs would only occur if the project moves forward, this type of work is commonly paid for by TIF Funds and if the project does not move forward the Village can still obtain an NFR letter. Village Manager Franz also stated the Village does not want to occur these costs on our own and staff would like the Developer to move forward with their contractors.

Community Development Director Springer stated it is a good idea for the Village, as the Village will own the property in the future. Community Development Director Springer also stated the Village wants to move forward to obtain the highest standards to get a NFR letter, the Village is not requiring the Developer to complete this work and the Village consulted an attorney who recommended this work be completed. Community Development Director Springer also stated Huff & Huff is the Village's contractor, who the Village has worked with in the past. Community

Development Director Springer also stated this project will move forward with the Developers have their building permits. Community Development Director Springer also stated it is preferred to have the developer handle the work.

Professional Engineer Daubert stated this work is often completed with Public Works construction projects, and was completed with the Taylor Avenue and North Avenue construction projects. Professional Engineer Daubert stated while this is not required, there will be additional work to dispose of the soil property if the work is not completed.

Trustee Pryde stated he prefers to have this work completed now, instead of getting a change order in the future.

Trustee Christiansen asked if this project is delayed for several months, will the costs remain the same. Jeremy Reynold from Huff & Huff stated they will hold the rates for the scope of the project.

Public Comment
President McGinley reminded the Village Board that Anne Gould had a comment that was read at the beginning of the meeting.

Kim Eichenaur wrote against the Village Board approving this work.

Trustee Senak asked the total cost for the Village for agenda items G and H. Professional Engineer Daubert stated item G will cost the Village $45,000 and item H will cost the Village up to $100,000.

Trustee Christiansen asked how the Village come up with the $100,000 for item H. Village Manager Franz stated the Village and Developer thought it was fair to have the Village cover 80% of the projected cost, as the Village's parking garage will cover 80% of the parking lot.

Trustee Thompson stated that in the grand scheme of things, the Village has control of this project along with the Developer. Trustee Thompson Stated he thinks it is important to manage the health and safety of this site.

Trustee Senak stated he is concerned about the Developer not performing, and that the cost should be covered fully by the Developer.

Trustee Fasules asked if the TIF Funds can be used to help stimulate businesses. Finance Director Coyle stated the Village could use the funds for businesses, but it needs to be a TIF eligible project.

1. Motion to authorize the Village Manager to execute an agreement with Huff and Huff, Inc. in the not-to-exceed amount of $15,810 for environmental engineering services associated with the remediation of the Village's Main Street parking lot to be expensed to the Central Business District TIF Fund and Developer Deposited Funds.

RESULT:	**APPROVED [4 TO 3]**
MOVER:	Steve Thompson, Village Trustee
SECONDER:	Bill Enright, Village Trustee
AYES:	Thompson, Enright, Pryde, McGinley
NAYS:	Fasules, Senak, Christiansen

2. Motion to authorize the Village Manager to execute an agreement with Huff and Huff, Inc. in the not-to-exceed amount of $11,357 for environmental engineering soil management assistance services associated with the APEX 400 Development Project to be expensed from the Developer Deposited Funds.

RESULT:	**APPROVED [4 TO 2]**
MOVER:	Steve Thompson, Village Trustee
SECONDER:	Bill Enright, Village Trustee
AYES:	Enright, Pryde, Christiansen, Thompson
NAYS:	Fasules, Senak
PRESENT:	McGinley

H. Redevelopment Agreement Amendment (Presented by Community Development Director Springer) (Trustee Enright)

1. Ordinance No. 6778, An Ordinance Approving a First Amendment to the Redevelopment Agreement Between the Village of Glen Ellyn and GSP Development, LLC concerning 400 & 418- 424 N. Main Street.

President McGinley stated the presentation for agenda item H has already been made in conjunction with agenda item G.

Trustee Senak asked what specifically needs to be amended in the RDA. Village Attorney Mathews stated the changes will state the Village will make a contribution, which was not clearly stated before. Community Development Director Springer stated the Village needs to specifically state how and how much money the Village will reimburse.

Trustee Thompson stated the RDA contains various sections regarding commitments on time frames by the Village as well as the Developer. Trustee Thompson asked if the RDA needs to be reviewed and potentially revised to make changes to keep the RDA up to date. Village Attorney Mathews stated some amendments will have to be made in the future. Village Attorney Mathews stated changing terms of the RDA is appropriate right now, as litigation is pending. Village Attorney Mathews also stated the developer is meeting all requirements of the RDA and doing everything they can to help the project move forward.

Trustee Christiansen asked if the Village Board is reaffirming the approval to the original RDA if the Board approves the amendments. Community Development Director Springer stated staff is proposing changing one paragraph while the rest of the RDA stands. President McGinley stated the vote tonight does not endorse or oppose any other portions of the RDA.

RESULT:	**APPROVED [4 TO 3]**
MOVER:	Bill Enright, Village Trustee
SECONDER:	Craig R. Pryde, Village Trustee
AYES:	McGinley, Enright, Pryde, Thompson
NAYS:	Fasules, Christiansen, Senak

I. Financial Impact of COVID-19 (Presented by Finance Director Coyle) (Discussion Only)

1. Finance Director Coyle will present the preliminary financial modeling of the impact of COVID-19.

Finance Director Coyle presented information on the preliminary financial modeling of the impact of COVID-19 including information on investments, analysist of the Village's General Fund, Capital Projects Fund, and Village Links/Reserve 22 Fund as well as provided projections moving forward.

Trustee Senak requested Finance Director Coyle to see how close the Village was on their one month predictions. Finance Director Coyle stated staff will continue to evaluate numbers and make changes moving forward.

Village Manager Franz stated staff is moving forward to continue to provide essential services, a hiring freeze has been implemented, $11 million has been cut in capital projects, and are working to finalize $1.5 million in cuts to the General Fund.

RESULT:	**DISCUSSION ONLY**

J. Reminders

1. A Village Board Meeting is scheduled for Monday, April 27, 2020 at 7:00 PM.
2. A Village Board Meeting is scheduled for Monday, May 11, 2020 at 7:00 PM.

K. Other Business

Village Manger Franz stated the Unlimited Refuse Collection scheduled for April 2020 has been postponed.

Village Manager Franz stated the 2020 Census has been extended.

L. Adjournment

Respectfully Submitted, Lindsey Kaminsky Executive Assistant

Reviewed and Approved, John A. Chereskin Village Clerk